



STATE OF MISSOURI  
DEPARTMENT OF INSURANCE

IN THE MATTER OF:

Kyle R. Thomure

Applicant.

Serve at:

1082 Prairie Sky Way  
O'Fallon MO 63366

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) Case No. 06A000207  
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**REFUSAL TO ISSUE INSURANCE PRODUCER LICENSE**

On May 19, 2006, Kathryn Turner, as senior counsel for the Investigations Section of the Division of Consumer Affairs, submitted a petition to the Director alleging cause for refusing to issue the insurance producer license of Kyle R. Thomure ("Applicant"). After reviewing the petition, and the investigative report, the Director issues the following findings of fact, conclusions of law and summary order:

**FINDINGS OF FACT**

1. Applicant, Kyle R. Thomure, is a Missouri resident with an address of 1082 Prairie Sky Way, O'Fallon, Missouri 63366.
2. On March 13, 2006, the Missouri Department of Insurance received the Insurance Producer Application of Applicant.
3. Question 39-1. of the Application asks,  
  
Have you ever been convicted of, or are you currently charged with, committing a crime, whether or not adjudication was withheld?
4. Applicant checked the "No" answer to this question.
5. Records of St. Charles County Circuit Court show that Applicant had

felony Stealing Credit Card Device charges filed on February 10, 2006, and the charges were pending on the date the Application was delivered to the Department by Applicant.

6. In a conversation with Linda Foster, Licensing Tech I, Missouri Department of Insurance Licensing Section, Applicant expressed concern about answering Question 39-1 "No", but Applicant did not change the answer or provide any additional information.
7. On or about October 19, 2005, Applicant, while working in the home of Patricia and Craig Anderson, took a credit card belonging to Craig Anderson and used it for five unauthorized purchases.
8. Applicant admitted he had taken the credit card and knew that he was not authorized to do so, nor was he authorized to use it for purchases.
9. This order is in the public interest.

#### **CONCLUSIONS OF LAW**

10. Section 375.141.1 RSMo Cum Supp 2005 provides:

The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:

- (1) Intentionally providing materially incorrect, misleading, incomplete or untrue information in the license application;
  - (3) Obtaining or attempting to obtain a license through material misrepresentation or fraud;
  - (8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in the state or elsewhere;
11. Applicant intentionally provided materially incorrect, incomplete and untrue information in his license application, when he failed to disclose pending criminal charges, a ground for refusal under Section 375.141.1 (1) RSMo Cum Supp 2005.
  12. Applicant attempted to obtain a license through material misrepresentation

when he failed to disclose pending criminal charges, a ground for refusal under Section 375.141.1 (3) RSMo Cum Supp 2005.

13. Applicant used dishonest practices and demonstrated untrustworthiness, when he took a credit card and used it without authorization, a ground for refusal under Section 375.141.1 (8) RSMo Cum Supp 2005.
14. This order is in the public interest.

**ORDER**

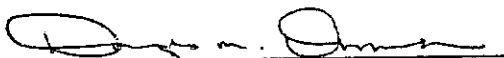
IT IS THEREFORE ORDERED that the issuance of the insurance producer license of Applicant Kyle R. Thomure is hereby summarily REFUSED.

SO ORDERED.

WITNESS MY HAND THIS 23<sup>th</sup> DAY OF May, 2006.



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W. DALE FINKE  
DIRECTOR



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DOUGLAS M. OMMEN  
DEPUTY DIRECTOR  
GENERAL COUNSEL


## NOTICE

**TO: Applicant and any unnamed persons aggrieved by this Order:**

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri within thirty (30) days after the mailing of this notice pursuant to Section 621.120 RSMo.

### CERTIFICATE OF SERVICE

I hereby certify that on this 24<sup>th</sup> day of May, 2006, a copy of the foregoing notice, order and petition was served upon the Applicant in this matter by certified mail.

  
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Karen Crutchfield  
Senior Office Support Staff